

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:19-cv-00924

MICHAEL B. JONES,

Plaintiff,

v.

CITY PLAZA, LLC, T.E. JOHNSON &
SONS, INC., and ONLINE INFORMATION
SERVICES, INC.

Defendants.

**MOTION TO DISMISS BY DEFENDANT
T.E. JOHNSON & SONS, INC.**

Defendant, T.E. Johnson & Sons, Inc., by counsel and pursuant to Rules 12(b)(6) of the Federal Rules of Civil Procedure, hereby moves the Court to dismiss, with prejudice, all of Plaintiff's causes of action against it for failure to state a claim upon which relief may be granted. In the alternative, T.E. Johnson & Sons, Inc., requests that at least Plaintiff's punitive damage claim be dismissed with prejudice. T.E. Johnson & Sons, Inc., further requests any such other relief the Court may deem appropriate. An accompanying memorandum is filed herewith supporting this motion.

Respectfully submitted, this the 20th day of November, 2019.

MARTIN & GIFFORD, PLLC

/s/ John L. Wait

John L. Wait
Attorney for Defendant T.E. Johnson & Sons, Inc.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served on all parties to this action by electronically filing the same with the Clerk of Court using the CM/ECF system, which caused notification of such filing to be emailed to the following parties of record:

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This the 20th day of November, 2019.

MARTIN & GIFFORD, PLLC

/s/ John L. Wait

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